

# House Study Bill 139

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR'S OFFICE  
OF DRUG CONTROL POLICY BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act increasing the law enforcement initiative surcharge,  
2 expanding its applicability, and making an appropriation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1276DP 82  
5 jm/je/5

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1 1 Section 1. Section 602.8108, subsection 5, Code 2007, is  
1 2 amended to read as follows:  
1 3 5. The clerk of the district court shall remit all moneys  
1 4 collected from the assessment of the law enforcement  
1 5 initiative surcharge provided in section 911.3 to the state  
1 6 court administrator no later than the fifteenth day of each  
1 7 month for deposit in the general fund of the state and fifty  
1 8 percent of the amount deposited is appropriated to the  
1 9 governor's office of drug control policy for supporting  
1 10 multijurisdictional drug enforcement.

1 11 Sec. 2. Section 911.3, subsection 1, Code 2007, is amended  
1 12 to read as follows:  
1 13 1. In addition to any other surcharge, the court or clerk  
1 14 of the district court shall assess a law enforcement  
1 15 initiative surcharge of ~~one two~~ hundred ~~twenty-five~~ fifty  
1 16 dollars if an adjudication of guilt or a deferred judgment has  
1 17 been entered for a criminal violation under any of the  
1 18 following:

1 19 a. Chapter 124, 155A, 321J, 453B, 713, 714, 715A, or 716.  
1 20 b. Section 719.8, 725.1, 725.2, or 725.3.

1 21 EXPLANATION

1 22 This bill relates to the law enforcement initiative  
1 23 surcharge. The bill raises the law enforcement initiative  
1 24 surcharge from \$125 to \$250 and expands the assessment of the  
1 25 surcharge to any criminal violation, including deferred  
1 26 judgments, under Code chapter 321J (operating while  
1 27 intoxicated).

1 28 The other criminal violations affected by increasing the  
1 29 law enforcement initiative surcharge include violations under  
1 30 the following Code chapters: 124 (controlled substances),  
1 31 155A (pharmacy-related criminal violations), 453B (unlawful  
1 32 dealing of certain substances), 713 (burglary), 714 (theft and  
1 33 fraud), 715A (forgery), and 716 (damage to property and  
1 34 trespass). The surcharge also applies to criminal violations  
1 35 of Code sections 719.8 (furnishing a controlled substance or  
2 1 alcohol to inmates), 725.1 (prostitution), 725.2 (pimping),  
2 2 and 725.3 (pandering).

2 3 Under the bill and in current law, the law enforcement  
2 4 initiative surcharge is collected by the clerk of the district  
2 5 court and remitted to the state court administrator for  
2 6 deposit into the general fund of the state. However, under  
2 7 the bill, 50 percent of the surcharge deposited into the  
2 8 general fund of the state shall be appropriated to the  
2 9 governor's office of drug control policy for the support of  
2 10 multijurisdictional drug enforcement.

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